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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,620	11/05/2003	Junichi Noro	02410345AA	4870
30743	7590	11/29/2005	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			VY, HUNG T	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/700,620

Applicant(s)

NORO ET AL.

Examiner

Hung T. Vy

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 11-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12,13 and 17-25 is/are allowed.
- 6) ☒ Claim(s) 1-8,11 and 14-16 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. In response to the amendment filed on 11/02/2005, claims 1-9, 11-25 are pending in this application as a result of the addition of claims 13 -25 and the cancellation of claim 10.

Applicant's arguments with respect to claim 1-8 and 11-25 have been considered but are moot in view of the new ground(s) of rejection.

### **Claim Rejections - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. § 102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

3. Claim 1 is rejected under 35 U. S. C. § 102 (e) as being anticipated by Fujii et al., U.S. patent No. 6,786,409.

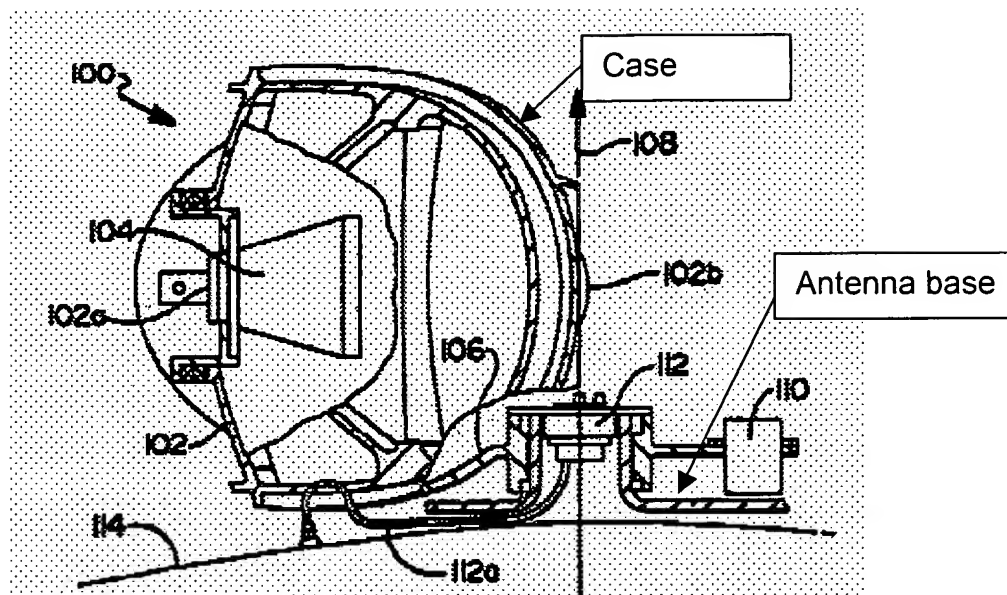
Claim 1, Fujii et al. discloses an antenna apparatus, comprising: an antenna element (2a,2b); an antenna case (the lcd portion), containing the antenna element (2a,2b); an antenna

base (base portion) which does not contain antenna element, coupled to the antenna case at fixed end (See fig. 7), wherein said antenna case (lcd portion) is permitted to pivot at said fixed end relative to said antenna base (base portion) such that a free end of said antenna case moves toward or away from said antenna base during pivoting; and an angle regulator for adjusting a relative antenna case and the antenna base case, and attached angle between the antenna case and the antenna base by pivoting said antenna case relative to said antenna base at said fixed end. (See fig. 7).

4. Claim 1-2, 14 and 16-17 are rejected under 35 U. S. C. § 102 (e) as being anticipated by Desargant et al., U.S. patent No. 6,861,994.

With respect to claim 1, Desargant et al. discloses an antenna apparatus, comprising: an antenna element 102,104; an antenna case 106 (See fig. below), containing the antenna element; an antenna base 112,110 which does not contain antenna element, coupled to the antenna case at fixed end 112, wherein said antenna case 106 is permitted to pivot at said fixed end 112 relative to said antenna base (see fig. below) such that a free end of said antenna case moves toward or away from said antenna base 112,110 during pivoting; and an angle regulator for adjusting a relative antenna case and the antenna base case, and attached angle between the antenna case and the antenna base by pivoting said antenna case relative to said antenna base at said fixed end. (See fig. below).

With respect to claim 2, Desargant et al. discloses a driving unit 112, driving the angle regulator so as to mechanically adjust the relative angle between the antenna case and the antenna base (See column 3, line 10-42).



With respect to claim 14, Dersagant et al. discloses antenna element receivers satellite broadcasting signals (See fig. 1-4).

Claims 16-17, Dersagant et al. discloses the low noise amplifier circuit board 18,20 are contained in the antenna case

### Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Desargant et al., U.S. Patent No. 6,636,181 in view of Nishikawa et al., U.S. Patent No. 6,034,643.

Claims 3 and 15, Desargant et al. discloses all limitation of invention except for a driving unit, driving the angle regulator so as to mechanically adjust the relative angle between the antenna case and the antenna base, detector. However, Nishikawa et al. disclose a driving unit, driving the angle regulator so as to mechanically adjust the relative angle between the antenna case 22 and the antenna base 12 (See column 2, line 59-64), detector 42, detecting a condition of radio-wave received by the antenna element, a controller, controlling the driving unit base 12 on the condition of the radio-wave detected by the detector (See column 13, line 1—25). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Desargant et al. to have a driving unit as taught by Nishikawa et al. The motivation for doing so would have been to provide the driving unit in order to get better the signal.

7. Claim 4 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Desargant et al., U.S. Patent No. 6,636,181 in view of Imura et al., U.S. Patent No. 5,909,653.

Claim 4, Desargant et al. discloses all limitations of invention except for a plunger. However, Imura et al. discloses plunger (see fig. 3). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Desargant et al. to have plunger as taught by Imura et al. The motivation for doing so would have been to provide the plunger in order to get stable the antenna.

8. Claims 5-8 and 11 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Desargant et al., U.S. Patent No. 6,636,181 in view of Ogino et al., U.S. Patent No. 5,805,113.

Claims 5-8, and 11, Desargant et al. discloses all limitations of invention except for a hook hole. However, Ogino et al. discloses hook hole (See fig 6 or column 3, line 29-35). It would have been obvious at the time the invention was made to a person having ordinary skill in

the art to modify Desargant et al. to have mount bracket for cable as taught by Ogino et al. The motivation for doing so would have been to provide mount and a drawing-out groove in order to easy to install in a vehicle.

#### **Allowable Subject Matter**

9. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, since the prior art of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed the antenna apparatus, wherein **cable drawing-out groove is formed in the base face** of the antenna base so as to extend to the upper side or the lower side of the antenna base; wherein **a cable latch portion is formed in the base face** of the antenna base so as to latch the cable which is drawn out along the groove.

10. Claims 12-13 and 17-25 are allowed.

None of the references of record teaches or suggests the claimed

None of the references of record teaches or suggests the claimed the antenna apparatus, comprising, along with all the other claimed feature, antenna base includes a base face in which is formed **a cable groove that extends from the first side** to a second side of the antenna base; and a cable extending from said antenna element to said base face of said antenna base and **fitting within said cable groove**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Vy whose telephone number is 571-2721954. The examiner can normally be reached on 8.30am - 5.30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hung T. Vy  
Art Unit 2821.  
November 25, 2005

*Shih-Chao Chen 11/28/05*  
**SHIH-CHAO CHEN**  
**PRIMARY EXAMINER**